

A meeting of the New Hampshire Water Well Board was held on February 9, 2006 at 9:00 AM, in rooms 112 & 113, 29 Hazen Drive, Concord, NH, 03302.

Present were: Bart Cushing, Chairman

Rene Pelletier, Secretary

Board members: Jeffrey Tasker, Peter Caswell, and David Wunsch

Staff: Rick Schofield and Genevieve Al-Egaily

Chairman Cushing brought the meeting to order at 9:02 AM and introduced the Board and staff members.

### **Approval of Minutes**

Upon motion by Mr. Pelletier and seconded by Mr. Tasker, the Board unanimously voted to accept the amended Minutes of the February 9, 2006 meeting.

### **Administrative Hearing**

#### **Bemis Group, LLC,**

Chairman Cushing reported that Jeffery Bemis' legal counsel Mark Fernald had requested a continuance of the Bemis hearings on behalf of his client. The continuance had been granted by the Board and the hearings would be rescheduled.

Mr. Schofield stated that a formal notice would be sent stating that the Board had issued the continuance and that the hearings would be rescheduled.

Mr. Caswell noted that he was planning to recuse himself from the Bemis hearings.

### **Old Business**

#### **Fowler Well Drilling**

Mr. Schofield reported that at the previous Board meeting the members had suggested that Mr. Fowler try to come to an agreement with the Randlov's. Mr. Schofield had not spoken with Mrs. Randlov, however, she had sent a letter stating that they had reached a settlement agreement with Mr. Fowler.

Mr. Schofield also noted that at the previous meeting, the Board had inquired about Mr. Fowler's reporting. Only two well completion reports had been submitted by Mr. Fowler during the last five years. Mr. Fowler had stated that he had actually drilled five wells during that time. The Board had requested that he submit the additional three reports. When the three reports were submitted they were incomplete and unsigned so they had been returned to Mr. Fowler. He then completed and resubmitted the reports.

The Board determined that the matter with Mr. Fowler was closed.

### **Previous Complaints**

Nolan / Judd Goodwin Well Company

Chairman Cushing stated that at the previous meeting the Board had noted discrepancies in the well log and location information on the well completion report submitted for Mr. Nolan's well by Goodwin Well Drilling Inc. Chairman Cushing then gave an overview of Mr. Nolan's complaint against Goodwin Well Drilling Inc. Mr. Nolan had called Downeast Drilling to service his water system. When the pump was removed several violations were found. The pump wire was taped to the water service pipe at intervals between 40 and 50 feet, the pump ground wire was not attached to anything at the wellhead, and the wire connections were made with wire nuts instead of heat shrink tubing. The Board had suggested that Goodwin Well Drilling Inc should repay Mr. Nolan for the work done by Downeast Drilling.

Chairman Cushing called Judd Goodwin and Tony Knox to the table.

Mr. Goodwin stated that the driller on that job had been new and he did not know what town he was in when he drilled the well. However, the GPS coordinates on the report were correct. He also stated that he would not be able to fix the well log because he had not been on the job site when the well was drilled. The person who had installed the pump had been let go and he had sent Mr. Nolan a check for the work done by Downeast Drilling. However, he wished that he had been given the opportunity to correct the problems himself.

The Board explained to Mr. Goodwin that he needed to complete the address information on the report by providing the street number or the tax map and lot information then resubmit the completed report. The Board also explained to Mr. Goodwin the importance of completing the well log information correctly. This information is used by the state for surficial geological mapping, sand and gravel aquifer mapping, and other types of research.

Grenier / D & S Farm Builders LLC

Mr. Schofield reported that D & S Farm Builders sold a prefabricated home with a dug well and septic system to the Grenier's. At closing, the Grenier's were given the water quality test results, which showed the water quality to be acceptable. Upon moving into the home, they discovered that the water quality was extremely poor and contacted DES. An unlicensed water well contractor Dana Frenette had installed the dug well, which had been improperly constructed. At the last meeting, the Board suggested that Mr. Frenette hire a licensed water well contractor to drill a new well, have a water test conducted on the new well, and decommission the improperly constructed dug well.

Mr. Schofield reported that an agreement had been reached. Capital Well Company had been hired, the new well had been drilled, and the pump installed. The new well was 360 feet deep with a yield of 40 gpm and the trench was being filled today by Mr. Frenette. The dug well would be decommissioned under the supervision of Capital Well Company and Mr. Frenette had agreed to hire a cleaning service to clean the fixtures in the house.

The Board requested that DES add a generic condition on construction approvals stating "please be advised that wells must be installed by a licensed well contractor".

Davis / Yankee Water Systems Inc

Mr. Schofield gave an overview of the complaint filed by Loren Davis against Yankee Water Systems and the action taken by the Board during the last meeting. Yankee Water Systems had been hired to fix a point well. They were unable to fix the well and were subsequently hired to drill a new well. While drilling the well, the rig tipped over damaging the well, the driveway, and potentially spilling diesel fuel. After righting the drill rig a new well was drilled. The Davis' incurred an additional expense of \$713 when sand from the new well clogged the plumbing and had to be flushed from the system.

Yankee Water Systems' insurance provider agreed to pay for one water quality test, the damage to the driveway, and the rental income lost by the Davis' when their tenant moved out because they were without water for 17 days. The insurance provider would not pay for the inconvenience of being without water or the time that the Davis' missed from work. Yankee Water Systems agreed to pay the \$713 plumbing bill and to place pea stone in the well to help act as a filter, which has not been done yet.

#### Heath / Policy Well & Pump

Chairman Cushing gave an overview of the complaint filed by Mr. Heath against Policy Well & Pump Company and the action taken by the Board during the last meeting. Mr. Heath hired Mainline Plumbing & Heating to service his water system. However, after hiring them, he realized that his pump was still under warranty with Policy Well & Pump Company. The pump was pulled and Mr. Heath brought it to Policy Well & Pump. They informed him that the pump was old and no longer under warranty, so Mr. Heath had the pump replaced by Mainline. He later determining that the pump had still been under warranty and the Board ordered Policy Well & Pump Company to pay Mr. Heath \$904 the Goulds retail list price of the pump at the time of installation.

Mr. Schofield reported that he had received a letter from Mr. Heath stating that he had received payment of the \$904 from Policy Well & Pump Company and thanked the Board for their assistance.

#### New Business

##### Massachusetts Well Driller Registration Program, Training & Reporting

Mr. Tasker reported that he had attended the Massachusetts DCR well drillers training and he felt that they were heading in the right direction. There was a lot of information given and the program may be too ambitious. However, they did have good color charts to help with identify different rock types.

Chairman Cushing stated that he also attended and he felt that something between what Massachusetts was looking for and what was being done in this state would be appropriate.

#### Licensing

##### New Applicants

Prior to the meeting, the Board was provided with a list of the new applicants and copies of their license applications.

Chairman Cushing invited Mr. Mackey to the table.

Mr. Mackey informed the Board that he had received two additional applications and all of the applications including the two new applications for consideration by the Board were complete except for Jason Parker's. His application was missing one reference.

The Board noted that they had a question about one of the references submitted on behalf of Bradley Kelley and requested that Mr. Schofield contact the individual who had submitted the reference to determine if the reference was or was not recommending Mr. Kelley for licensing. If the reference was determined to be recommending Mr. Kelley for licensing, he would be allowed to sit for the exam. If the reference was not recommending him for a license, Mr. Kelley would not be allowed to sit for the exam and the issue would be reviewed at the next meeting.

Upon motion by Mr. Wunsch and seconded by Mr. Pelletier, the Board unanimously voted to allow all new applicants except Mr. Parker and Mr. Kelley to sit for the exam.

### **Rules**

Mr. Schofield reported that he had put the changes to the rules that the Board had previously discussed into the rules format for the members to review.

The Board reviewed the changes made to We 302.01 Qualifications, We 302.03 Soil Exploration, and Other Well Drilling Operations, and We 302.04 Qualified Individual and suggested some additional changes to the language of We 302.03 and We 302.04. The Board also made additional changes to We 302.04 requiring proof of employment and experience.

Chairman Cushing felt that We 302.04 Minimum Experience Requirements (e) should be changed to include an item (4) requiring proof of employment and experience by providing insurance documentation, customer's names and addresses, dates of employment, or other similar conformation documentation with an application.

The Board suggested additional language changes to We 602.05 Well Location to help clarify the special methods of construction in (l) and added a requirement for a 50 foot setback from state highway rights-of-way. Setbacks for wells located on lots with underground storage tanks were also added to We 602.05 in accordance with Env-Wm 1401.28(ac).

We 602.06 Standard Practice for the Construction of Wells Drilled in Bedrock was amended to exclude the use of "*Jaswell*" type seals in some specified situations.

The Board also discussed the deletion of We 603.01 (c) which would then require existing well caps without seals to be replaced with a new well cap containing a seal when maintenance work was done on the well.

### **Continuing Education**

Mr. Schofield reported that the continuing education seminars had been scheduled and would be held in five locations around the state. The New Hampshire Water Works Association has agreed to sponsor the events. John Lukin will be the speaker and he will receive payment through the association.

The Board reiterated its position that Mr. Schofield would no longer continue to organize the continuing education seminars except when a particular issue within the industry was identified and needed to be addressed. In the future, events where continuing education credits could be received would be published in the newsletter and on the state website.

### **New Business**

#### **Gould Well Drilling Inc.**

Mr. Schofield reported that he had received a request for an exemption of We 604.04 (c) from Gould Well Drilling Inc. In November, Gould Well Drilling Inc drilled a well in Easton for Presby Construction. The well was properly constructed but produced sediment so a new well was drilled by another company. The property owner wants the well drilled by Gould Well Drilling Inc decommissioned.

The Board felt that they should speak with the property owner before making a decision on the request for an exemption.

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Rene Pelletier  
Water Well Board Secretary